

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION

)
ADAPTIX, INC.,)
)
 Plaintiff,)
)
 v.) Civil Action No. 6:12-cv-000124 (LED)
)
APPLE, INC. and)
CELLCO PARTNERSHIP d/b/a)
VERIZON WIRELESS,)
)
 Defendants.)
)

**PLAINTIFF'S REPLY TO COUNTERCLAIMS
OF DEFENDANT CELLCO PARTNERSHIP
d/b/a VERIZON WIRELESS**

Plaintiff, ADAPTIX Inc. ("ADAPTIX"), replies to the Counterclaims of defendant, Cellco Partnership d/b/a Verizon Wireless ("Verizon"), as follows:

NATURE OF THE ACTION

1. ADAPTIX denies that its allegations of infringement are baseless. ADAPTIX admits the remaining allegations of paragraph 1.

2. Admitted.
3. Admitted.
4. Admitted.

JURISDICTION AND VENUE

5. Admitted.

6. ADAPTIX denies that venue is more appropriate and convenient in another District. ADAPTIX admits that venue for Verizon's Counterclaims is legally proper in this District.

PARTIES

7. Admitted.
8. Admitted.

FIRST COUNTERCLAIM

9. ADAPTIX repeats and re-alleges the allegations contained in paragraphs 1-8 above as if fully set forth herein.

10. Denied.
11. Denied.

SECOND COUNTERCLAIM

12. ADAPTIX repeats and re-alleges the allegations contained in paragraphs 1-8 above as if fully set forth herein.

13. Denied.
14. Denied.

THIRD COUNTERCLAIM

15. ADAPTIX repeats and re-alleges the allegations contained in paragraphs 1-8 above as if fully set forth herein.

16. Denied.
17. Denied.

FOURTH COUNTERCLAIM

18. ADAPTIX repeats and re-alleges the allegations contained in paragraphs 1-8 above as if fully set forth herein.
19. Denied.
20. Denied.

PRAYER FOR RELIEF

WHEREFORE, ADAPTIX respectfully requests that this Court:

- a. Enter judgment in favor of ADAPTIX on all issues set forth in Verizon's Answer, Affirmative Defenses and Counterclaims;
- b. Deny all relief requested in Verizon's Answers, Affirmative Defenses and Counterclaims;
- c. Grant the relief requested by ADAPTIX in its Complaint, and
- d. Grant ADAPTIX such further relief as this Court may deem just and proper.

DEMAND FOR JURY TRIAL

ADAPTIX demands trial by jury on all issues raised in Verizon's Counterclaims so triable.

Date: May 2, 2012

ADAPTIX, INC.

By: Paul J. Hayes (w/permission Wes Hill)

T. John Ward, Jr.

Texas State Bar No. 00794818

J. Wesley Hill

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ATTORNEYS FOR THE PLAINTIFF

ADAPTIX, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email on this the 2nd day of May, 2012.

/s/ Wesley Hill

Wesley Hill